

# MANISTEE CITY PLANNING COMMISSION

70 Maple Street, Manistee, Michigan 49660

Meeting of Thursday, October 3, 2002  
7:00 p.m. - Council Chambers, City Hall

## AGENDA

- I Roll Call
- II Public Hearing
  - 1. Kathy Fenstermacher - Zoning Amendment
  - 2. Kathy Fenstermacher, Special Use Permit - 290 First Street
- III Citizen Questions, Concerns and Consideration
- IV Approval of Minutes
  - Planning Commission Meeting (9/19/02)
- V New Business
  - 1. Kathy Fenstermacher - Zoning Amendment
  - 2. Kathy Fenstermacher, Special Use Permit - 290 First Street
  - 3. Sand Products Corporation - Parcel Splits
  - 4. Meeting Dates 2003
  - 5.
- VI Unfinished Business
  - 1. Master Plan Update
- VII Other Communications
- VIII Work/Study Session
- IX. Adjournment

### Speaking at Meetings:

Unless waived by the Commission for a specific meeting, any public comment shall be limited to five (5) minutes per speaker, one time only. If a group of people wish to be heard on one subject, a spokesperson may be appointed who may request that the Chairman approve more than the normal five (5) minutes. If necessary, a maximum of five (5) minutes will be allowed for the group to caucus to choose their spokesperson and develop their comments.

# MEMORANDUM

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TO: Planning Commission Members

FROM: Denise Blakeslee  
Secretary, Community Development

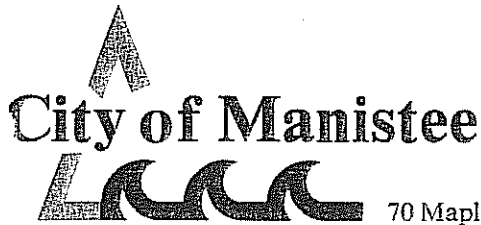
DATE: September 27, 2002

RE: Planning Commission Special Meeting October 3, 2002

The October Planning Commission Meeting will be at 7:00 p.m. on Thursday, October 3, 2002. The following items are on the Agenda:

1. Kathy Fenstermacher - Zoning Amendment. Kathy Fenstermacher is requesting a Zoning Amendment that would add under Special Uses in the C-2 Zoning District *Pet Grooming all animals excluding livestock and wildlife*. A copy of the request is enclosed for your review.
2. Kathy Fenstermacher, Special Use Permit - 290 First Street. In the event a Zoning Amendment were approved to allow under special uses in the C-2 Zoning District *Pet Grooming all animals excluding livestock and wildlife*, Ms. Fenstermacher would like to apply for a Special Use Permit for 290 First Street to allow a pet grooming business. Enclosed is a copy of the application for your review.
3. Sand Products Corporation - Parcel Split. A request has been received from Sands Products Corporation to split parcels #51-51-260-711-01, 51-51-260-712-01, and 51-51-260-709-01 into four buildable parcels. These parcels are located on Monroe Street adjacent to Man-Made Lake. Please review the enclosed survey that shows how the parcels will be split.
4. Meeting Dates 2003. Members of the Planning Commission are asked to review the enclosed calendar for setting the 2003 Meeting Dates for the Planning Commission. Legal Holidays are indicated in red, tentative dates for the Citizen Planner Program are indicated in blue, possible meeting dates are indicated in Green (May 15<sup>th</sup> could be scheduled as the annual bus tour).
5. Jerry Adams will be at the October 3<sup>rd</sup> meeting to hand out an update of the proposed Master Plan. Members are asked to review the copy that was received at the Special Meeting on September 19<sup>th</sup>. Mr. Adams will go over the updated sections of the plan. We will be holding a Public Workshop on October 17<sup>th</sup> for Council, Manistee Township and Charter Township Planning Commissions and the General Public for input prior to the Public Hearing that will be held on November 7<sup>th</sup>.

If you are unable to attend the meeting please call me at 723-2558. See you Thursday!



70 Maple Street • P.O. Box 358 • Manistee, Michigan 49660

## Planning Commission

231.723-2558  
FAX 231.723-1546

### Petition for Zoning Amendment

Kathy Fenstermacher  
Applicant

302 4th Ave  
Address

Manistee, MI 49660  
City, State, Zip Code

Phone Numbers (Work) 231-723-3027

(Home) Same -

#### FOR OFFICE USE ONLY:

Case number \_\_\_\_\_  
Date Received 9.19.02  
Fee Received \$250.00 / Special Use  
Receipt Number 1364  
Hearing Date \_\_\_\_\_

**FEE \$250.00**

**Please Note: All questions must be answered completely. If additional space is needed, number and attach additional sheets.**

#### I. ACTION REQUESTED:

I (we), the undersigned to hereby request that the City of Manistee approve the following petition for Zoning Amendment:

A. Text Amendment: Amend Article 53 Section 5303 to (delete, supplement or clarify) the Manistee City Zoning Ordinance by making the following change(s): (Attach additional sheets if necessary - state proposed ordinance language) Add Pet grooming all animals excluding livestock and wildlife.

B. Re-zone from \_\_\_\_\_ to \_\_\_\_\_ the property(s) described in II Property Information (below); for the following purpose: (State proposed use of the land) \_\_\_\_\_

A previous application for a variance, special use permit or re-zoning on this land (has/has not) been made with respect to these premises in the last \_\_\_\_\_ years. If a previous appeal, re-zoning or special use permit was made, state the action requested: \_\_\_\_\_

Decision: ☒ approved ☐ denied

## II. PROPERTY INFORMATION:

A. Legal Description of Property affected: \_\_\_\_\_  
\_\_\_\_\_

Tax Roll Parcel Code Number: 51-51- 448-728-05

Address of Property: 290 1st St

B. List all deed restrictions - cite Liber & Page where found and attach: None Known

C. Names and addresses of all other persons, firms or corporations having a legal or equitable interest in the land. Terry & William Gauss

D. This area is ☐ un-platted, ☒ platted, ☐ will be platted.  
If platted, name of plat Filer and Smith's addition

E. Attach a site plan drawn to the scale of one (1) inch equals (10) feet, showing all existing structures on the property, all proposed structures and marking those structures that will be removed or razed. Also, the general shape, size and location of all existing structures within 100 feet of the property along with their uses shall be depicted on the site plan, along with all abutting roads, streets alleys or easements.

F. Present use of the property is: Vacant - rear of building houses Beauty Shop.

## III. STATEMENT OF JUSTIFICATION FOR REQUESTED ACTION:

A. State specifically the reason for this Amendment request at this time  
zoning is needed locally - Most pet owners go out of town - Need zoning amendment to allow business -

B. ~~If the Amendment is a propose re-zoning, please answer the following questions.~~

1. ~~Will this re-zoning be in conformance with all adopted development plans of the City of Manistee? ☐ yes ☐ no and Manistee County? ☐ yes ☐ no~~

2. If the proposed zone does not conform to the(se) plan(s), why should the change be made? Please be specific, brief and attach any supporting documentation which substantiates your claim. This could include an allegation that the existing zoning is in error which would be corrected by the proposed change, or that specific changes or changing conditions in the immediate area make the re-zoning necessary to promotion of public health, safety and general welfare.

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3. What do you anticipate the impacts of the proposed zone change on the adjacent property to be? What steps do you propose to take to mitigate any negative impacts associated with the proposed change?

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#### IV. AFFIDAVIT

The undersigned affirms that he/she or they is (are) the (owner, lessee, authorized agent of owner) involved in the petition and that the answers and statements herein contained and the information submitted are in all respects true and correct to the best of his, her or their knowledge and belief.

Signature (s) of Applicant (s):

Kathy J. Ferstman  
[Signature]

Dated

9/19/02

☐ By checking this box permission is given for Planning Commission Members to make a site inspection if necessary.

ARLENE RITCHARDS  
SCHOOL HOUSE STORE  
284 1st STREET  
MANISTEE, MI. 49660

OCTOBER 1, 2001

CITY OF MANISTEE  
ATT. JON ROSE, COMMUNITY DEVELOPMENT

RE: Pet Grooming business      290 1st Street, Manistee  
Proposed Location

I have no objection if the animals are contained to the premises of 290 1st Street.

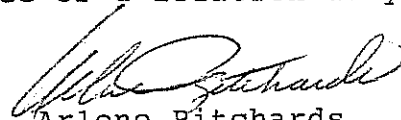
My building is close to the proposed location. My main concern would be if the owners of the pets would walk their animals on my grass or blacktop leaving their feces or urine on the grass, shrubs, or blacktop.

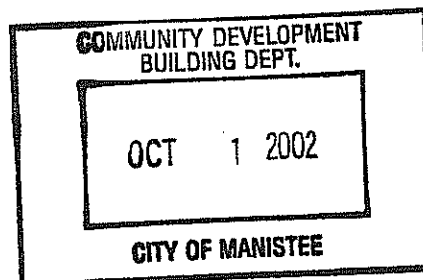
I rent a section out for a dance studio which a lot of children who attend classes every day. I also have customers for the school house store and clients for my accounting service.

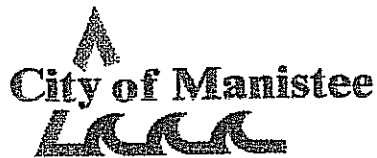
I have lost a lot of parking space due to two houses built on the adjoining lot. I am anticipating on changing my parking lot to angle parking to accomodate enough room for my tennants, and customers of the Red School House Building and clients of A.R. Accounting. At times the lot is full, especially when Shirley has dance rehearsals and autos then park on the side street.

Arrangements should be made by the owner of the building to accomodate a walk area and parking facilities adequate for customers and their pets, as my lot will be posted for my customers and tenants only.

I would think that a pet grooming place would be better located at a veterinarian place or a location away from city traffic.

  
Arlene Ritchards  
Red School House, Inc.





## Planning Commission

# SPECIAL USE PERMIT APPLICATION

Kathy Fenstermacher  
Applicant  
302 4th Ave  
Address  
Manistee, MI 49660  
City, State, Zip Code  
Phone Numbers (Work) \_\_\_\_\_

(Home) 231-723-3027

### FOR OFFICE USE ONLY:

Case number \_\_\_\_\_  
Date Received 9.19.02  
Fee Received \$250.00 / zoning Amendment  
Receipt Number 1364  
Hearing Date 10.3.02  
Action Taken \_\_\_\_\_  
Expiration Date of Permit \_\_\_\_\_

**FEE FOR SPECIAL USE PERMIT \$250.00**

## I. ACTION REQUESTED:

A Special Use Permit is hereby requested for the following purpose: Dot Grooming business

## II. PROPERTY INFORMATION:

- A. Address of Property: 290 1st ST.  
Tax Roll Parcel Code Number: 51-51- 448-728-05
- B. List all deed restrictions - cite Liber & Page where found and attach: None
- C. Names and addresses of all other persons, firms or corporations having a legal or equitable interest in the land. Terry & William Gauss
- D. Zoning District: C-2
- E. Present use of the property: VACANT
- ~~F. Attach a Site Plan which meets the requirements of the Special Use Permit Ordinance (see attached).~~

~~G. Is a Property survey attached? ☒ Yes ☐ No.~~

~~H. Estimated completion date of construction (if applicable): \_\_\_\_\_~~

### III. STATEMENT OF JUSTIFICATION FOR REQUESTED ACTION:

- A. State specifically the reason for this Special Use Permit request at this time To allow  
a Pet Grooming Business
- B. Statement of support for the request. Please justify your request for a Special Use Permit below. The justification should address the following concerns: (Attach additional sheets if necessary)
1. The relationship of the Special Use Permit conditions (Article 86, Section 8610 and if applicable, Article 16) to the particular Special Use proposed. Do they pose any unusual problems for compliance?
  2. Relationship of the proposed use to the development plans of Manistee County and the City of Manistee.
  3. Impacts of the adjacent property and neighborhood. Indicate what impacts of the proposed use on the adjacent property are anticipated and what steps will be taken to mitigate any negative impacts. Consider the following:
    - a. Will the proposed use adversely affect the health, safety or enjoyment of property of persons residing or working in the neighborhood?
    - b. Will proposed use be detrimental to the public welfare or injurious to property in the neighborhood?

### IV. INFORMATION REQUIRED IN APPLICATION:

- A. An Application for Special Use shall include:
1. A detailed Site Plan, as spelled out in Section 9406 of this ordinance, a copy of which is attached.
  2. A specific statement and supporting information regarding the required findings for the Special Use Permit, as stated in Section 8609 (as follows).
    - a. ~~Is the use reasonable and designed to protect the health, safety and welfare of the community,~~
    - b. ~~Is the use consistent with the intent and purpose of the Land Use District,~~
    - c. ~~Is the use compatible with adjacent land uses,~~
    - d. ~~Is the use designed to insure that public services and facilities are capable of accommodating increased loads caused by the land use or activity, and~~
    - e. ~~Does the use comply with all applicable regulations of this Ordinance.~~
    - f. ~~Does the use comply with all specific standards found in the respective Land Use District, Section 1601 et. seq., and Section 101 et. seq. of this Ordinance.~~



3. Proposed location of any open spaces, landscaping and buffering features such as greenbelts, fences, etc.

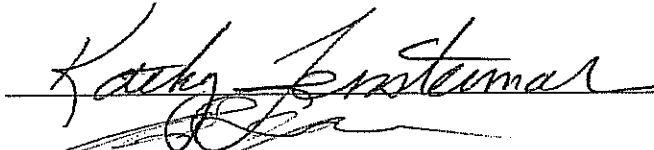
B. In Addition, the applicant may be required to furnish:

1. Elevations on all buildings, including accessory buildings.
2. An Environmental assessment.
3. Evidence of having received or having an agreement for concurrent approval for any other necessary permits required prior to a construction code permit.
4. Measures which will be undertaken to control soil erosion, shoreline protection, excessive noise, or adverse impacts of the development on the surrounding properties.

#### V. CERTIFICATION AND AFFIDAVIT:

The undersigned affirm(s) that he/she/they is/are the ☐ owner, ☐ leasee, ☐ owner's representative, ☐ contractor involved in the application; and that the information included in this application is correct. Further, if the request is approved, the applicant will comply with all of the requirements of the City of Manistee Zoning Ordinance and certifies that measures proposed to mitigate adverse impacts will be completed in a timely fashion.

Signature (s) of Applicant (s):

  
\_\_\_\_\_

Dated

9/19/02

☐ By checking this box permission is given for Planning Commission Members to make a site inspection if necessary.

Kathy Fenstermacher  
302 4<sup>th</sup> Ave.  
Manistee, Mi. 49660  
231-723-3027

September 19, 2002

Members of the Planning Commission:

I am requesting a Special Use Permit so I can establish a permanent location for a pet grooming business.

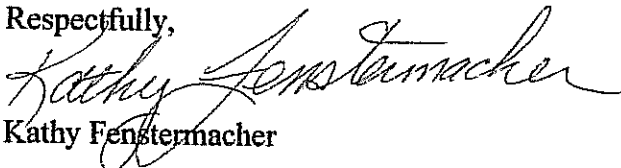
I currently operate a pet grooming business by going to the pet owner's home and grooming the animals there, which you can imagine becomes challenging to say the least. The purposed Special Use Permit would not pose any unusual problems for compliance. The animals would be dropped off at the business location where they would be groomed and then picked up by the owners. The normal length of time per animal would be approximately 2 hrs. The animals would be held in wire holding cages when not being worked on.

The business would not interfere with the development plans of Manistee County and the City of Manistee as there will be no new construction. One benefit would be a new service business for the citizen's of the county. I would anticipate that anyone out side the city would plan on spending a couple of hours in the city while their pet is being groomed. This has the potential for an increase in business for other area merchants. Another benefit would be to the animal as potential health problems would be identified and refereed to a veterinarian.

There would be no adverse impact to the surrounding neighborhood. The location has an existing off street parking lot and traffic would not be impacted. The animals would be brought into the building either on a leash or in a carrier. There would be nothing that would be detrimental to the public welfare or injurious to property in the neighborhood.

Thank you for considering this request and I am looking forward to the opening of my new business.

Respectfully,

  
Kathy Fenstermacher

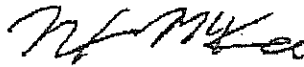
## Request to Split a Parcel

**Name and Address of Applicant:**

Sand Products Corporation  
660 Woodward Ave.  
Suite 1111  
Detroit, Mi. 48226

Contact Ben Bifoss

**Signature:** Max McKee, President



**Phone Numbers:** Home, 231-723-5145    Work, 231-722-6691

**Name and Address of other parties who have an interest:** none

**Parcel Identification Number for all parcels involved:** #s 51-51-260-711-01 and 712-01, & 51-51-260-709-01

Lots 2,3,6,7,10 and 11 of Block 5; Lots 1 - 4 of Block 6; Lots 4 - 7 of Block 7, Kings Addition to the City of Manistee.

See attached sketch

**Reason for request:** to meet the requirements of the zoning ordinance for buildable lots.

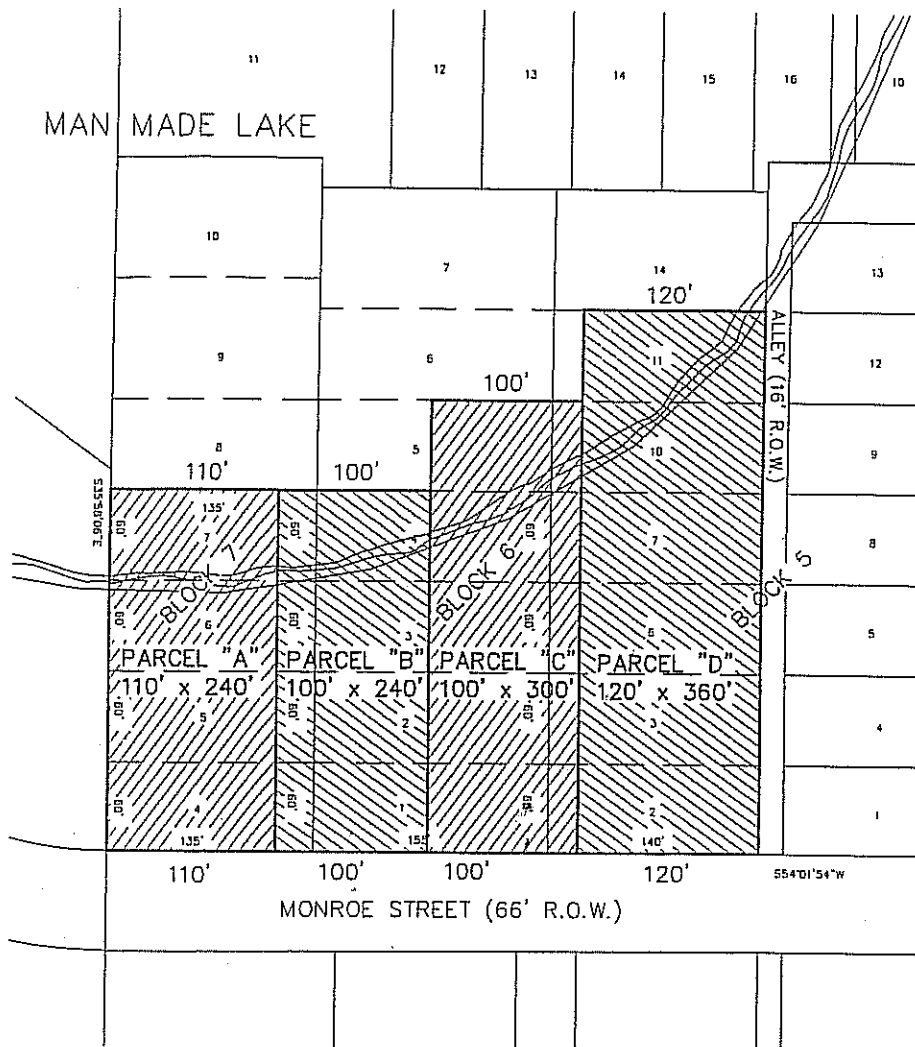
**Attach a sketch or site plan of all parcels involved in the request. The sketch must include the location of buildings and/or structures, building set-backs, streets, street names and lot dimensions.**

The property has no buildings or structures. It is vacant.

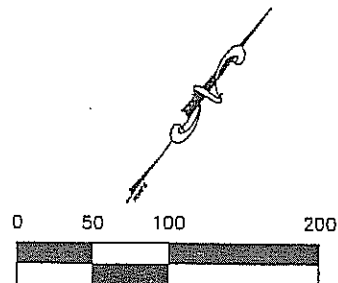
**Fee:** \$50 for first split + \$25 for each additional split.

Attached check in the amount of \$125 for four new lots.

## SKETCH OF SURVEY



SPLITS & COMBINATIONS  
PARCELS A, B, C, & D



PREPARED FOR:

SAND PRODUCTS  
CORPORATION



ABONMARCHE CONSULTANTS, INC.

361 First Street  
Monistee, Michigan 49660  
231-723-1198  
FAX: 231-723-1194

95 West Main Street  
Benton Harbor, Michigan 49022  
616-927-2295  
FAX: 616-927-4639

ARCHITECTS / ENGINEERS / LAND SURVEYORS  
ENVIRONMENTAL / CONSTRUCTION MANAGEMENT

DATE: 9-19-02

DRAWN BY: MBS

SCALE: 1"=100'

SEC. 2 T. 21N R. 17W

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JOB NO. M11016BS